

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

**MARYLIN MONAE PORTER a/k/a
LAMONE MORLEE JOHNSON,**

Plaintiff,

v.

Case No. 21-CV-311-JFH-SPS

**JOEL McCURDY and
UTILIZATION REVIEW
COMMITTEE,**

Defendants.

ORDER

On October 18, 2021, Plaintiff Marilyn Monae Porter, a/k/a Lamone Morlee Johnson, a pro se state prisoner who is incarcerated at Oklahoma State Penitentiary in McAlester, Oklahoma, filed this civil rights complaint pursuant to 42 U.S.C. 1983. Dkt. No. 1. She alleges her constitutional rights have been violated with respect to treatment for her gender dysphoria. *Id.* at 4-6. The defendants are Chief Medical Officer Joel McCurdy and the Utilization Review Committee, described as “a group of medical doctors.” *Id.* at 3.

While Plaintiff is incarcerated in the Eastern District of Oklahoma, the complaint asserts that all the defendants are located in Oklahoma City, Oklahoma, which lies within the territorial jurisdiction of the Western District of Oklahoma. *Id.* Further, the decisions regarding Plaintiff’s medical care apparently were made in the Western District.

A civil action may be brought in--

(1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located; [or]

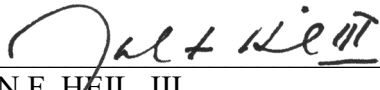
(2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred,

28 U.S.C. § 1391(b)(1)-(2).

After careful review, the Court finds proper venue does not lie in this district, and the case should be transferred to the Western District of Oklahoma.

THEREFORE, this action is **TRANSFERRED** in the interest of justice to the United States District Court for the Western District of Oklahoma. *See* 28 U.S.C. § 1406(a).

IT IS SO ORDERED this 6th day of January 2022.



JOHN F. HEIL, III
UNITED STATES DISTRICT JUDGE